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No. _____

SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1990

IN RE JONATHAN B. AINSWORTH,

Petitioner

V.

CALIFORNIA STATE SUPREME COURT,

STATE BAR OF CALIFORNIA

Respondents

PETITION FOR A WRIT OF MANDAMUS,
OR
IN THE ALTERNATIVE FOR A WRIT OF
PROHIBITION,
PURSUANT TO 28 U.S.C. SECTION 1651
TO THE SUPREME COURT OF CALIFORNIA

JURISDICTIONAL STATEMENT

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Suite 301
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Petitioner
In Propria Persona

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QUESTIONS PRESENTED

The questions presented are twelve in number. All involve United States Supreme Court precedents that were totally ignored, each one alone justifying summary reversal pursuant to U.S. Supreme Court Rule 16.1. Patently offensive procedures have led this Court to summarily vacate lower court judgments in the past. Allison v United States 386 U.S. 13; Marvel v United States 380 U.S. 262; and the United States Supreme Court may use a per curiam opinion to summarily vacate obvious abuses in lower courts. Jago v Van Curen 454 U.S. 14. Hansen 450 U.S. 785, Wyrich v Fields 459 U.S. 42.

Question One:

Is the California Supreme Court justified in totally ignoring and contradicting explicit United States Supreme Court precedents regarding the

exclusive jurisdiction of The Iran-United States Claims Tribunal in The Hague, The Netherlands, in regard to Iranian Government "controlled" entities, as stated in Dames and Moore v Regan 453 U.S. 654 (1981), and as cited by the United States Court of Appeals for the Ninth Circuit in Tchacosh v Rockwell 766 F 2d 1333, 1335, as well as the reviewing of factual determinations, when new evidence of perjury is discovered? Please see Thompson v Louisville 361 U.S. 199; Garner v Louisiana 368 U.S. 156; Fisk v Kansas 274 U.S. 380; Creswill v Knights of Pythias 225 U.S. 246; Sterling v Conseantin 287 U.S. 378; Niemother v Maryland 340 U.S. 268; Edwards v South Carolina 371 U.S. 229; Cox v Louisiana 379 U.S. 536; Hazel Atlas Glass v Hartford 322 U.S. 328; Townsend v Burke 334 U.S. 736. (Please see Appendix at

pages xxix to xlix, as well as U.S. S. Ct. Rule 10.1 (c).)

The first question concerns competing claims of ownership regarding an Iranian controlled entity. The Supreme Court of California clearly did not have jurisdiction to decide who controlled the entity, Tchacosh, particularly since the California Supreme Court's erroneous determination of who actually controls Tchacosh conflicts with the determination that was made by the Iran-U.S. Claims Tribunal, which had exclusive jurisdiction pursuant to Presidential executive agreement. This was upheld by the U.S. Supreme Court in the Dames and Moore case, ibid. The California Supreme Court's erroneous determination also conflicts with the decision of the United States District Court in Los Angeles and the decision of the U.S. Circuit Court of

Appeals for the Ninth Circuit, both of which quote the decision of the Iran-U.S. Claims Tribunal which had exclusive jurisdiction! (Please see Application for a Writ of Coram Nobis or Error, Supplemental Points and Authorities, at pp 1-32, 47-52, 137-178 of exhibits thereto, as well as pp XXIV to XIIX in the Appendix and State Bar exhibit 20c).

Question Two:

Is the Supreme Court of California justified in totally ignoring and contradicting the United States Supreme Court's holding in Wong Yang Sun v McGrath 339 U.S. 33,417 S.Ct. 445, 450 which provides that:

An administrative law judge (in the present case, the State Bar's hearing referee) may not:
"be responsible to or subject to the supervision or direction of an employer or agent engaged in the performance of an investigative or prosecuting function for an agency." (Emphasis added.)
(Please also see Appendix, pp. xv to

xviii, as well as U.S. Supreme Ct. Rule 10.1 (c).)

This offense has even been brought to the State Bar's attention by a special report of the California State Attorney General's Office, yet this Constitutional abuse continues!

Question Three:

Is the Supreme Court of California justified in refusing to follow the United States Supreme Court's holdings that say that a three judge panel, rather than one referee, must be convened where such a panel is mandated by law? Ex Parte Northern Pacific Railway Company 280 U.S. 142, as well as in Ex Parte Metropolitan Water Company of West Virginia 220 U.S. 539, and in Cumberland Telephone and Telegraph Company v Louisiana Public Service Commission 260 U.S. 212, and in Virginia Railway

Company v United States 272 U.S. 658, as well as in Ex Parte Atlantic Coast Line R. R. Co. 279 U.S. 822, as well as other U.S. Supreme Court cases. (Please see Appendix at pages xviii to xxiv, as well as U.S. Supreme Ct. Rule 10.1 (c).)

Question Four:

Was the Supreme Court of California justified in totally ignoring United States Supreme Court precedents involving pre trial publicity? Rideau v Louisiana 373 U.S. 723, Chandler v Florida 449 U.S. 560, as well as United States Court of Appeals holdings regarding legislative "prodding," as in District of Columbia Federation v Volpe 459 F 2d 1231 (cert. denied), as well as in Eastern Airlines v CAB 271 F 2d 752, and in Pillsbury Co. v FTC 354 F 2d 952, and in Sierra Club v Castle 657 F 2d 298.

The present case also presents a

conflict between the California State Supreme Court and the above U.S. Circuit Courts regarding a federal question in regard to legislative "prodding" as it affects the U.S. Constitutional right to a fair trial. The U.S. Supreme Court often hears such cases. (Please see pages xxiv to xxviii in Appendix, as well as U.S. S. Ct. Rule 10.1 (b) and (c).)

Question Five:

Was the California State Supreme Court justified in totally ignoring and contradicting United States Supreme Court precedents in In Re Ruffalo 390 U.S. 644, 885 S. Ct. 122, and in Cole v Arkansas 333 U.S. 196, both of which specifically prohibit the adding of new charges at trial? (Please see pages xlix to lii in the Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Six:

Was the California Supreme Court justified in totally ignoring United States Supreme Court precedents which state that a judgment should be overturned when it resulted from a false promise of settlement that caused the defendant not to prepare an adequate defense? United States v Throckmorton 98 U.S. 61, as well as Hazel Atlas Glass Co. v Hartford 322 U.S. 328, dealing with fraudulent promises of settlement on the part of the prosecution. (Please see Appendix pages lii to lv, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Seven:

Were the California Bar and the California State Supreme Court justified in totally ignoring United States Supreme Court precedent which upheld the validity of statutes of limitations? Schiavone v

Fortune 477 U.S. 21. (Please see pages lv to lvii in the Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Eight:

Were the California Bar and the California State Supreme Court justified in totally ignoring and avoiding even discussing this petitioner's constitutional right to confront witnesses, as guaranteed by the Sixth Amendment, and upheld by United States Supreme Court precedents? Pointer v Texas 380 U.S. 400; Ohio v Roberts 448 U.S. 56; California v Green 399 U.S. 149; Dutton v Evans 400 U.S. 74. (Please see pages lvii to lxi in Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Nine:

Were the California Bar and the California State Supreme Court justified in totally ignoring this petitioner's

constitutional right and U.S. Supreme Court precedents that regard not having contracts "impaired" by state action, which contracts involved most of the complaining witnesses settling their cases against this petitioner in the present lawsuit and these individuals actually dismissing their claims and then being made by the State Bar of California to proceed in court anyway against this petitioner, despite their written contracts not to do so? The right not to have a contract "impaired" by state action is protected by Article 1, Section 10 of the United States Constitution and was recognized by the United States Supreme Court in Fletcher v Peck 10 U.S. (7 Cranch) 87, as well as by Home Building and Loan Association v Beaisdell 290 U.S. 398, yet the California State Supreme Court totally ignored and avoided

even discussing this constitutional right and U. S. Supreme Court precedents! (Please see pages lxi to lxv of the Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Ten:

Were the California State Bar and the California State Supreme Court justified in totally ignoring numerous other constitutional rights, as well as other United States Supreme Court precedents that involve due process and a fair hearing, including, but not limited to the following:

i. Having the hearing shortly after this petitioner's exploratory surgery for cancer and refusing a continuance;

ii. numerous examples of insults, berating statements as well as outright ridicule of this petitioner's medical condition by both the prosecutor and the

State Bar's "Compensated Referee," who was accountable to and employed by the California State Bar Association;

iii. denying this petitioner his right to counsel despite the Sixth Amendment to the United States Constitution and despite Gideon v Wainwright 372 U.S. 335, even after counsel had been ordered to be appointed, among other violations of United States Supreme Court precedents. (Please see pages lxv to lxxiii in the Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Eleven:

Did the California Supreme Court and the State Bar of California violate this petitioner's rights to due process as guaranteed by the Fourteenth Amendment of the U.S. Constitution because the hearing judge was corrupt and prejudiced? (Please see pages lxxiv to lxxviii in

Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Question Twelve:

Did the California Supreme Court as well as the State Bar of California deny this petitioner his constitutionally guaranteed right to due process as guaranteed by the Fourteenth Amendment to the U.S. Constitution because the prosecutor was corrupt and prejudiced? (Please see pages lxxviii to lxxxv in the Appendix, as well as U.S. S. Ct. Rule 10.1 (c).)

Any one of the above twelve questions alone cries out for summary reversal! The United States Supreme Court is specifically requested to summarily reverse the decision of the California State Supreme Court because it violated so many United States Supreme Court precedents and because the law is so

clear and the conduct so outrageous! (The California State Supreme Court has said that it is overburdened with work and obviously did not give this matter and others like it full consideration.) Alternatively, the Court is asked to use its mandamus or prohibition or common law certiorari power and order the Supreme Court of California to show cause, if any there be, why such writs should not immediately issue, Dean v Hickman 358 U.S. 57; Bucolo v Adkins 424 U.S. 641.

PARTIES TO THE PROCEEDINGS BELOW

This petitioner prays that a writ of mandamus, a writ of prohibition or alternatively, that a writ of common law certiorari be issued to review the order of the California State Supreme Court that denied this petitioner's Application For a Writ of Coram Nobis or for a Writ of Error, concerning new

evidence of perjury, etc., which was filed on May 30, 1990. Notice of ruling was given to this petitioner by mail, sent on November 21, 1990. All concerned a judgment of disbarment effective December 26, 1988, which was filed on October 27, 1988. All are contained at the beginning of the Appendix to this Jurisdictional Statement. This Petitioner previously filed with this Court on December 26, 1990 a similar petition to this one. It was marked "received" by the U.S. Supreme Court Clerk's Office and returned to this petitioner pursuant to U.S. S. Ct. Rule 33.7, which gave this petitioner a chance to file these papers at a later date.

The State Bar of California said that the following parties had filed complaints with the State Bar against this petitioner. The truth is as

indicated:

1. and 2. Hassan Haschemi did not file a complaint; however, this petitioner is informed and believes that his disgruntled former attorney, Stephen Miller, filed a perjured complaint with the State Bar of California, which it refused to divulge to this petitioner. (PLease see below discussion).

3. Lyle Wetherford also filed a perjured complaint which was completely disproved. (Please see below discussion.)

4. Rebecca Archuletta stated in writing that she did <u>not</u> file a complaint against this petitioner, nor did she authorize the filing of a complaint. (Please see Exhibits F and G, as well as below discussion.)

5. Karen Mayes Ulricksen filed a complaint which was completely disproved. (Please see below discussion.)

Additionally, new charges were fabricated at trial by the State Bar's Prosecutor and the State Bar's "Compensated Referee" went along with them.

6. Michael Phyillaier also filed a perjured complaint which was completely disproved by the California State Bar's own handwriting expert. (Please see below discussion.)

OFFICIAL AND UNOFFICIAL REPORTS

OF OPINIONS

Tchacosh v Rockwell 766 F 2d 1333, 1339 is a decision by the United States Court of Appeals for the Ninth Circuit which directly, materially and in many respects conflicts with the decision of the California State Supreme Court in the present case, as does the decision in Rexnord v Iran, Tchacosh, et al, Award

No. 21-132-3, reprinted in the Iranian Assets Litigation Reporter, pp 5959-67, January 21, 1983 (available at the Library of Congress). The decision of the California State Supreme Court can be found at 46 Cal. 3d 1218, 252 Cal Rptr. 267, 762 P 2d 431.

In Tchacosh v Rockwell, ibid, the U.S. Circuit Court of Appeals for the Ninth Circuit cited and adopted the decision by the Iran - United States Claims Tribunal, which had exclusive jurisdiction! The California State Supreme Court decision against this petitioner directly, materially, and in many respects conflicts with these decisions and usurps the exclusive jurisdiction of the Iran - U.S. Claims Tribunal as well. Please see Dames and Moore v Regan 453 U.S. 654 in which the United States Supreme Court upheld the

exclusive jurisdiction of Iran - United States Claims Tribunal for cases involving Iranian Government entities.

Both the federal courts as well as the Iran - United States Claims Tribunal held that Tchacosh was an Iranian Government entity! The Tribunal also held that Hassan Haschemi, an Iranian national, did not in fact control Tchacosh, that, in effect, he was an impostor! Both of these determinations specifically conflict with the erroneous decisions of the California State Supreme Court that are the subjects of this petition. The California Supreme Court contradicted these decisions, and held otherwise, despite The California Supreme Court's total lack of jurisdiction, when it adopted the erroneous findings of the State Bar of California's "Compensated Referee", who

also totally lacked jurisdiction, in light of President Carter's executive agreement with the Government of Iran, as well as the specific United States Supreme Court precedent in Dames and Moore v Regan, ibid, which upheld the exclusive jurisdiction of the Iran - U.S. Claims Tribunal to determine such matters.

President Carter's executive agreement with Iran had created the Iran-U.S. Claims Tribunal and extinguished jurisdiction of all claims that involved Iran and Iranian entities, such as Tchacosh, which was found to be an entity of the Iranian government by both of the federal courts as well as by the Iran - United States Claims Tribunal!

Stephen Miller, the attorney for Hassan Haschemi, perjured himself in the present case regarding the above facts

and decisions when he falsely testified that he lost the case of Hassan Haschemi in the United States courts because he said the trial judge was allegedly mad at Ainsworth and allegedly chose to take it out on Hassan Haschemi. Incredible as that seems, the State Bar's "Compensated Referee" actually believed him regarding this. The "Compensated Referee" also believed attorney Miller's perjured statements regarding Hassan Haschemi, who he falsely testified both owned and controlled Tchacosh, despite his knowledge of the decisions by the federal courts and by the Iran - U.S. Claims Tribunal, to the contrary. These attorney Miller wrongfully concealed from the State Bar hearing and from the California State Supreme Court! This resulted in incorrect findings against this petitioner, which are contradicted

by the decisions of the federal courts and by the above mentioned decision of the Iran - United States Claims Tribunal in Rexnord v Tchacosh, ibid. Also, Claim 192 in the name of Tchacosh is still pending in the Iran - United States Claims Tribunal, in The Hague, The Netherlands. As of the date of this writing,

The Iran - United States Claims Tribunal has not yet ruled as to who owns the claims of Tchacosh, whether it be Hassan Haschemi and/or Jonathan Ainsworth, this petitioner! However, the Iran - U.S. Claims Tribunal has previously held in Case No. 132 that Hassan Haschemi does not in fact control Tchacosh, which it found was now an entity of the Iranian Government, i.e., the Islamic Republic of Iran. This opinion was cited in the Ninth Circuit

Court of Appeals' opinion against Hassan Haschemi in Tchacosh v Rockwell 766 F2d 1333, 1339, which found that Hassan Haschemi could not represent Tchacosh in litigation against Rockwell, citing the award in the Iran - U.S. Claims Tribunal in Rexnord, Inc., Claimant and The Islamic Republic of Iran, Tchacosh, Co and Iran Siporex Industrial and Manufacturing Works Ltd, Respondents Case No 132, Award No. 21-132-3; reprinted in Iranian Assets Litigation Reporter pp. 5959 - 67, January 21, 1983 (Cited in Tchacosh v Rockwell 766 F 2d 1333, 1335, the decision of the United States Court of Appeals for the Ninth Circuit).

Hassan Haschemi, an Iranian national, had absolutely no standing to bring the present claim against this petitioner before the State Bar of California, just as he had no standing to bring Tchacosh v

Rockwell, as the Ninth Circuit Court of Appeals held. It follows that his former attorney, Stephen Miller, did not either, since exclusive jurisdiction was vested in the Iran - United States Claims Tribunal and because Tchacosh has been held to be an entity of the Islamic Republic of Iran, and the government of Iran had not authorized Hassan Haschemi to bring a lawsuit on behalf of itself or on behalf of its controlled entity, Tchacosh! Please see Dames and Moore v Regan 453 U.S. 654(1981) in which the United States Supreme Court upheld the exclusive jurisdiction of the Iran-United States Claims Tribunal to determine such claims, as part of the agreement that caused the release of the U.S. hostages in Iran that had been in the custody of the Ayatolah Khomeini's revolutionary government. (Please see Application for a

Writ of Coram Nobis or Error, Supplemental Points and Authorities, ex. pp. 1-6 and 1-32, 47-52, 137-178.)

Since the United States Supreme Court has previously stated in Dames and Moore v Regan, ibid, that the decisions of the Iran - U.S. Claims Tribunal should be final and binding and since the U.S. District Court and the Ninth Circuit Court of Appeals in Tchacosh v Rockwell, ibid, based their decisions upon the decision of the Iran - U.S. Claims Tribunal in Rexnord v Islamic Republic of Iran, Tchacosh, et al, ibid, it follows that The State Bar of California's "Compensated Referee" and the California Supreme Court had absolutely no jurisdiction to decide the case against Jonathan Ainsworth that involved Tchacosh, which Hassan Haschemi had falsely claimed to control and represent!

To disbar this petitioner based on the State Bar "Compensated Referee's" and the California Supreme Court's erroneous assertions of jurisdiction is an assumption of President Carter's authority to confer exclusive jurisdiction on the Iran - United States Claims Tribunal, as upheld by the United States Supreme Court in Dames and Moore v Regan, 453 U.S. 654 (1981)!

Also, the United States District Court, The Ninth Circuit Court of Appeals, and the Iran - United States Claims Tribunal have each decided that Hassan Haschemi is an impostor! The California State Bar's "Compensated Referee," acting totally without jurisdiction, erroneously held otherwise, erroneously adopting the false and perjured testimony of Hassan Haschemi's attorney, Stephen Miller, at face value.

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JURISDICTION

On or about November 21, 1990, the Supreme Court of California, through its Clerk, mailed this petitioner a notice that it had denied this petitioner's Application for a Writ of Coram Nobis, or in the Alternative for a Writ of Error, to correct an erroneous judgment which had erroneously disbarred this petitioner, using false and perjured information, etc., which had been discovered after trial and review. This petitioner sent a similar petition to this one to the U.S. Supreme Court and on December 26, 1990 it was marked "received" by the Clerk's office. It was returned to this petitioner in late January, 1991, pursuant to U.S. Supreme Court Rule 33. This petition is submitted in its place.

The decisions of the California Supreme Court are contained at the beginning of the Appendix to this Jurisdictional

Statement. The first decision of the California Supreme Court was filed on October 27, 1988 and was effective on December 26, 1988.

EXTRAORDINARY WRIT JURISDICTION

The U.S. Supreme Court may "issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law" pursuant to 28 U.S.C. Section 1651.

This petitioner hereby requests summary reversal pursuant to United States Supreme Court Rule 16.1. Petitioner requests an extraordinary writ of mandamus, a writ of prohibition, or in the alternative, a common law writ of certiorari, pursuant to 28 USC Section 1651. There is ample precedent for the United States Supreme Court issuing such writs against the Supreme Court of a state. Please see Deen v. Hickman 358 U.S. 57(1958); Bucolo v. Adkins 424 U.S. 641 (1976).[1]

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1. Pullman vs. Allen 466 U.S. 522 (1984) states that this Court should consult the common law origins of extraordinary writs.

Also, Rule 20 of the United States Supreme Court Rules states in pertinent part:

> "The issuance by the Court of any extraordinary writ[2] authorized by 28 U.S.C. Section 1651(a) is not a matter of right, but of discretion sparingly exercised. To justify the granting of any writ under that provision, it must be shown that the writ will be in aid of the Court's appellate jurisdiction,

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2. These writs are used to bring before the Supreme Court of the United States otherwise non appealable orders. United States Alkali Association v. United States. 325 U.S. 196(1965), DeBeers Consolidated Mines, Ltd. v. United States 325 U.S. 212(1945), In Re 620 Church Street Corporation 299 U.S. 24, 26 (1936); Far East Conference v. United States 342 U.S. 570(1952); United States v. National City Lines 357 U.S. 78(1949).

The writs of mandamus, prohibition and common law certiorari may be used to correct jurisdictional error such as will be shown in this case, particularly in questions one, two, and three. Kerr v. U.S. District Court 426 U.S. 394(1976). See also Will v. United States 389 U.S. 90(1976). The writs may be used when an appeal does not provide for an adequate remedy Maxwell v. Bishop 385 U.S. 650 (1967).

The California State Supreme Court absolutely refuses to follow basic United States Supreme Court precedents and has actually usurped the jurisdiction of the Iran - United States Claims Tribunal, among other abuses to be shown. Also, the California Supreme Court refuses to correct its own erroneous and inconsistent findings. U. S. Supreme Court Rule 10.1 (c) applies.

that there are present exceptional circumstances warranting the exercise of the Court's discretionary powers, and that adequate relief cannot be had in any other form or from any other court."(Emphasis added.)

A. THE WRIT WILL BE IN AID OF THE U.S. SUPREME COURT'S APPELLATE JURISDICTION[3]

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3. United States Supreme Court decisions regarding the jurisdiction of the Iran - United States Claims Tribunal should not be ignored! Please see Dames and Moore v Regan 453 U.S. 654 (1981) in which this Court upheld the exclusive jurisdiction of the Iran - United States Claims Tribunal in cases that involve entities of the Government of Iran and U.S. nationals. Also, this petitioner will document numerous refusals by the State Bar of California to follow even basic United States Supreme Court precedents. Unfortunately, the opinions of the State Bar of California are "rubber stamped" by the California State Supreme Court, which has complained of its enormous caseload. This has resulted in an enormous quagmire to attorneys throughout California that can only be remedied by this Court correcting the abuses.

This will be in aid of the United States Supreme Court's appellate jurisdiction in regard to decisions of the Iran - United States Claims Tribunal which conflict with other U.S. court decisions that have totally and completely ignored the U.S. Supreme Court's upholding exclusive jurisdiction of the Iran-U.S. Claims Tribunal! Also, the California State Supreme Court case conflicts with a decision of the U.S. Court of Appeals for the Ninth Circuit, as will be shown. Another reason is that The United States Supreme Court can expect an increase in writ applications stemming from the State Bar of California's abuses from its relatively new procedures. These will be amply documented herein. (Please also see pages xi to xv in the Appendix.)

B. THERE ARE PRESENT EXCEPTIONAL CIRCUMSTANCES THAT WARRANT THE EXERCISE OF THE COURT'S DISCRETIONARY POWERS[4]

C. ADEQUATE RELIEF CANNOT BE OBTAINED IN ANY OTHER FORM OR FROM ANY OTHER COURT[5]

1. JURISDICTION TO RESOLVE CONFLICTS AMONG A UNITED STATES CIRCUIT COURT OF APPEALS, THE IRAN-UNITED STATES CLAIMS TRIBUNAL, AND A STATE SUPREME COURT. (QUESTION ONE)

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4. United States Supreme Court decisions regarding the Iran - United States Claims Tribunal should not be ignored! Please see Dames and Moore v Regan, ibid. Also, constitutional rights and other United States Supreme Court precedents should not be ignored merely because the California Supreme Court seems to think it does not have adequate time to review the California State Bar Association's one man, single-minded, arbitrary and capricious decisions with other than a cursory glance. Undue regard has been paid to numerous United States Supreme Court precedents, as will be seen. (Please also see pp. xi to xv in Appendix.)

5. This petitioner has brought these matters to the attention of the California State Supreme Court by means of writ application, as will be shown below. One judge simply denied the application summarily without comment. The California Supreme Court could have corrected its previous mistakes, which included complete usurpation of the Iran - United States Claims Tribunal's exclusive jurisdiction, but chose not to do so, totally ignoring United States Supreme Court precedents for this and in other critical area of the law as well! These will be amply documented. This petitioner has exhausted every other means available to him. (Please see pages xi to xv in the Appendix, as well.)

There are three major jurisdictional abuses that were committed by the California State Bar and by the California State Supreme Court in the present case. The first one concerns the exclusive jurisdiction of the Iran-U.S. Claims Tribunal to decide all claims that involve Iranian Government entities and American citizens.

In Dames and Moore v Regan 453 U.S. 654 (1981), the United States Supreme Court held that it had jurisdiction to determine that the Iran-U.S. Claims Tribunal has exclusive jurisdiction in deciding claims that involve "entities" of the Government of Iran and U.S. persons and entities as in the present case! In Rexnord v Iran, Tchacosh et al, ibid, a decision of the Iran - U.S. Claims Tribunal, which is cited by the Ninth Circuit Court of Appeals in Tchacosh v Rockwell 766 F 2d 1333, 1335, The Iran - U.S. Claims

Tribunal decided that Hassan Haschemi, an Iranian national, who had been represented by this petitioner at one time, does not control Tchacosh, which is an entity of Iran's Government, yet the Supreme Court of California refused to recognize this decision and the exclusive jurisdiction of the Iran-U.S. Claims Tribunal to determine disputes that involve Iranian Government entities and an American citizen, contrary to the explicit holding of the Iran-U.S. Claims Tribunal! The California Court erroneously decided and ruled that the Iranian Government entity was instead privately owned by Hassan Haschemi, whose new attorney had filed a perjured complaint against this petitioner; however, the Iran-U.S. Claims Tribunal's exclusive jurisdiction to determine all such disputes that involved Iranian Government entities was reaffirmed by the U.S. Supreme Court in Dames and Moore v

Regan, ibid, ,which, upheld the legal power of President Carter to vest exclusive jurisdiction in the Iran-U.S. Claims Tribunal, not in the State Bar Court of California, which, like all other American courts, was specifically divested of all jurisdiction to decide such disputes that involved Iranian Government entities, such as Tchacosh, as part of the Presidential Executive Agreement which released the American hostages in Iran. To the contrary, the California State Supreme Court has erroneously ruled that Tchacosh is privately held by Hassan Haschemi, based upon the self-serving testimony of Hassan Haschemi's new lawyer, who had lost on this very issue in the United States federal court system! The California Supreme Court's decision is decided in such a way that its factual determinations conflict overtly with those of the U.S. District Court and the U.S. Circuit Court

of Appeals, which quoted the determination of the Iran-U.S. Claims Tribunal. It is also contrary to the Iran-U.S. Claims Tribunal's explicit grant of exclusive jurisdiction by President Carter.[6]

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6. The United States Supreme Court has previously held in the Dames and Moore v Regan case, 453 U.S. 654 (1981), that the Iran - U.S. Claims Tribunal has exclusive jurisdiction in these matters, and so the California Supreme Court was completely without authority to act!

The California Supreme Court's erroneous decision in the present case erroneously disbarred this petitioner, and is contradicted in material respects by the decision of the Iran-U.S. Claims Tribunal in Rexnord v Iran, Tchacosh, et al, ibid, as well as the written opinion of the United States Court of Appeals for the Ninth Circuit, which quotes the decision of the Iran-U.S. Claims Tribunal. (Please see Tchacosh v Rockwell 766 F 2d 1333, 1335). The Iran - U. S. Claims Tribunal in The Hague, The Netherlands, has exclusive jurisdiction to consider such matters, according to the U.S. Supreme Court in Dames and Moore v Regan 453 U.S. 654(1981).

The real facts are that this petitioner claimed to own and proved that he, Jonathan Ainsworth, personally owned the holding company, Petru International Corporation, an American corporation that in fact owned Tchacosh Company, Inc., also an American corporation. Please see citations in below footnotes, as well as exhibits 20c and KKK.)

Finding as to a waiver of a federally guaranteed, constitutional right (such as this petitioner's property rights in this case) are reviewable Brookhart v Janis 384 U.S. 1,4n4 (1966). In the present case, this petitioner's

United States Supreme Court Rules pertaining to certiorari writs, Rule 10.1(b) states that this Court will consider a conflict, such as in this case, between a federal court of appeals decision and that of a state Supreme Court: "When a state court of last resort has decided a federal question in a way to conflict with the decision of another state court of last resort or of a federal court of appeals." (Emphasis added).

"Perjury", by attorney Stephen Miller, which caused the differences in the various court opinions discussed herein,

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ownership of Petru International Corporation, a property right which cannot be taken without due process, as well as this petitioner's right to practice law, to receive compensation, to earn a livelihood, etc., are also at stake, and are protected by the United States Constitution! (Further discussion follows.) Also, erroneous findings of a State Supreme Court that involve questions of federally guaranteed rights (here the taking of this petitioner's property rights in his American corporations, without due process, as well as other constitutional rights), as prohibited by the United States Constitution, or that conflict with a Federal Court of Appeals decision, such as in the present case, are reviewable by the U.S. Supreme Court! (Please see Thompson v City of Louisville, 362 U.S. 199 (1960) and Garner v Louisiana, 368 U.S. 157, 163 (1961). Please also see U.S. S. Ct. Rule 10.1 (b).)

is defined in Black's Law Dictionary as:

> "The willful assertion as to a matter of fact, opinion, belief or knowledge, made by a witness in a judicial proceeding as part of his evidence ... such assertion being material to the issue or point of inquiry and known to such witness to be false."[7]

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7. Ordinarily a finding of fact is not reviewable; however, the U.S. Supreme Court can and does review a State Court's findings "where a federal right has been denied as the result of a finding shown by the record to be without sufficient evidence to support it..."(as in the present case) Fisk v Kansas 274 U.S. 380, 385-386 and see Creswill v Knights of Pythias 225 U.S. 246, 261 (1912), as well as Sterling v Conseantin 287 U.S. 378, 398 (1932). The U.S. Supreme Court previously asserted that it has jurisdiction in such cases!

Cases such as the present one, may be reopened when this occurs, Peacock Records v. Checker Records 365 F 2d 1451, and the burden is on the respondents, in the present case the State Bar of California and the California Supreme Court, to show that it did not affect the outcome of the case Hazel Atlas Glass v. Hartford 322 U.S. 328; United States v. Throckmorton 98 U.S. 61; Kulcher v. Kulcher 1 Cal 3d 467. It did affect the outcome of the case because Jonathan Ainsworth owned a substantial interest in four American corporations which were confused by the State Bar and by the California State Supreme Court with Hassan Haschemi's former Iranian companies which the Iran-U.S. Claims Tribunal and the federal courts have found Hassan Haschemi no longer controls! This came about because the complaining witness, attorney Stephen Miller, actually lied to the California State Bar in this regard, as will be shown. (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, at pp. 1-5, 7, 8, 9. Please also see

The State Bar of California's star witness against this petitioner is the principle perjuring party, himself a member of the State Bar of California. This California attorney, Stephen Miller, lost Tchacosh v. Rockwell, 766 F 2d 1333,1339[8] an enormous lawsuit against both the Government of Iran and Rockwell International Corporation! Attorney, Stephen Miller

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pp. xlix to lv in Appendix.)

8. The California Bar Association did not even have jurisdiction to even consider alleged claims concerning Tchacosh ownership, which were ostensibly brought by attorney Stephen Miller, ostensibly on behalf of Hassan Haschemi, an Iranian national, because, as the U.S. District Court and U.S. Circuit Court of Appeals previously held in citing Rexnord v Tchacosh et al, a decision of the Iran - U.S. Claims Tribunal, Tchacosh is an entity of The Islamic Republic of Iran and as such only the Iran-U.S. Claims Tribunal has jurisdiction to consider any claims concerning Tchacosh! Please see Dames and Moore v Regan, ibid. The State Bar of California wrongfully decided the present case against this petitioner concerning Tchacosh, since neither it nor the State Bar of California has authority to decide such claims, only the Iran-U.S. Claims Tribunal may do so! Please see Dames and Moore v Regan, ibid.

actually perjured himself when he falsely testified, under oath, that the Iranian national, Hassan Haschemi, who he represented, both owned and controlled Tchacosh! This was outright perjury since it was contradicted by and conflicted with the published opinion of the U.S. Court of Appeals for the Ninth Circuit, which cited the opinion of the Iran-United States Claims Tribunal in The Hague, The Netherlands, as stated previously.[9]

The U.S. Circuit Court of Appeals has said

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9. Attorney Miller was well aware of this because he was the attorney who lost the Tchacosh v Rockwell case. He was well aware of the findings by both the Iran-U.S. Claims Tribunal and by the U.S. Court of Appeals for the Ninth Circuit against his client which had said that Tchacosh was an Iranian Government controlled entity that Hassan Haschemi did not own or control, and that, as such, American courts, such as the State Bar Court of California, were legally deprived of jurisdiction to decide any conflict that involved an Iranian Government entity because of Presidential Executive Agreement, as well as U.S. Supreme Court precedent in Dames and Moore v Regan, ibid! Attorney Miller, willfully concealed these facts and decisions from the California State Bar Court, as well as from the California Supreme Court!

in referring to the previous decision of the Iran - United States Claims Tribunal:

"The Iranian decrees divesting Haschemi of authority on behalf of Tchacosh will be given effect."
"Accordingly the District Court's grant of Summary Judgment in favor of Rockwell is affirmed." See Tchacosh v Rockwell 766 F 2d 1333, 1339. (Emphasis added)[10]

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10. This petitioner attempted to bring attorney Stephen Miller's outright perjury to the attention of the California State Supreme Court after the decision by the U.S. Circuit Court of Appeals was learned of; however, one judge on the California Supreme Court erroneously refused to correct the California Supreme Court's earlier mistake in erroneously asserting jurisdiction, contrary to the U.S. Supreme Court opinion in Dames and Moore v Regan, ibid, and contrary to the decision of the Ninth Circuit Court of Appeals in Tchacosh v Rockwell, ibid. (Please see this petitioner's Application for a Writ of Coram Nobis or a Writ of Error, as previously described.)

These true facts were deliberately withheld from the one-man hearing panel by the State Bar's star witness, who perjured himself. As a result, the above decision by the U.S. Circuit Court of Appeals regarding control of Tchacosh and the decision of the Iran - U.S. Claims Tribunal, which had exclusive jurisdiction, were completely ignored by the one-man hearing panel that convicted this petitioner in the California State Bar Court. The California Supreme Court erroneously adopted the erroneous findings of the one man hearing panel, which was the result of the outright perjury of attorney Stephen Miller!

(Please see Supplemental Points And Authorities to Application for Writ of Coram Nobis or Error, at pp. 1-5, 7, 8, 9., also pages 1-32, 46-52, 122-178 of exhibits. Please also see pp. xxiv to xiix in the Appendix and State Bar exhibit 20c.)

2. JURISDICTION TO VOID A JUDGMENT WHERE THE LAW REQUIRED THREE JUDGES INSTEAD OF ONE (QUESTION TWO OF TWELVE)

In the present case there were three major jurisdictional abuses that were committed by the California State Bar and by the California State Supreme Court. The first one, discussed above, involves the exclusive jurisdiction of the Iran-U.S. Claims Tribunal to decide conflicts that involve Iranian Government-controlled entities. The second major jurisdictional abuse involves the fact that three judges were mandated by state law, yet the State Bar of California proceeded with a single judge, despite this petitioner's numerous protests, totally ignoring United States Supreme Court precedents in the process! , as part of the Presidential Agreement that released the American hostages in Iran[11]

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11. The United States Supreme Court has issued writs of mandate in order to void a decision where the law required three judges, when only a single judge was used in the lower court, just as in the present case. Please see Ex Parte

In Ex Parte Northern Pacific Railway Company 280 U.S. 142, the per curiam opinion of the United States Supreme Court held: "Under our decision construing and applying the section, Judge Bourque sitting alone was without jurisdiction to hear either the motion to dissolve the temporary restraining order or the motion to dismiss the bill on the merits. Ex Parte Metropolitan Water Company of West Virginia 220 U.S. 539; Cumberland Telephone & Telegraph Company v. Louisiana Public Service Commission 260 U.S. 212, 216-217; Virginia Railway Company v. United States 272 U.S. 658, 671-673; Ex Parte Atlantic Coast Line R. Co. 279 U.S. 822."[12]

Northern Pacific Railway Company 280 U.S. 142; Ex Parte Cogdell 342 U.S. 163; Ex Parte Metropolitan Water Company of West Virginia 220 U.S. 539; Cumberland Telephone & Telegraph Company v. Louisiana Public Service Commission 260 U.S. 212; Virginia Railway Company v. United States 272 U.S. 658; Ex Parte Atlantic Coast Line R. Co. 279 U.S. 822, all of which state that the U.S. Supreme Court has jurisdiction to issue a writ to put a speedy end to such abuses!

12. In the present case, the State Bar's single judge (not three as required by State Bar Rule 558) was "without jurisdiction" to convict this petitioner, using the same terms as used by the United States Supreme Court in the Ex Parte Northern Railway ibid, case, since there was only one and not three judges as required by explicit statute! This petitioner complained against the appointment of a single, one-man, "Compensated

The present case should likewise be overturned![13]

So outrageous is the California Supreme

Referee" to decide the case who, using the U.S. Supreme Court's phraseology, "was without jurisdiction."

Please see two Separate "Opposition(s) to Motion to Appointment of Compensated Referee," which were sent for filing with the State Bar Court by this petitioner on or about October 4 and October 15, 1986, as well as Declaration of Jonathan Ainsworth in Support of Review to the California State Supreme Court that requested a new trial, before three impartial judges, and not right after this petitioner's exploratory surgery, as was deliberately done by the California State Bar at the trial.

Even the California Supreme Court shows that even it was under the misapprehension that there were three judges, as required by California law, (State Bar Rule 558) in the "Hearing Panel," which convicted this petitioner. Please see opinion of the California State Supreme Court in Appendix at Page 42, in which the California Supreme Court mistakenly refers to "members" - plural - of the hearing panel. This finding was clearly erroneous! There was only one "member"-singular, despite this petitioner's overwhelming protests!

The present case is similar to the case Ex Parte Cogdell 342 U.S. 163, in which the United States Supreme Court once again granted a motion for leave to file a petition for a writ of mandamus, where a request for three judges pursuant to statute had been denied by the lower court.

The State Bar of California rule which mandates a three judge panel to decide State Bar cases is Rule 558, according to the rule in effect in the September, 1985 copy of the California State Bar's Rules of Procedure. (The trial of this

Court's outright refusals to follow U.S. Supreme Court precedents that this petitioner respectfully requests that the order for disbarment be summarily reversed, pursuant to United States Supreme Court Rule 16.1, and that this petitioner be immediately reinstated as a member of the California Bar, in good

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petitioner was in December of 1986.) There was no stipulation regarding one judge, because this petitioner had previously filed at least two documents opposing the appointment of a single, one-man "Compensated Referee". (See above.)

13. Even if the amended Rule 558, which appears in the February, 1987 copy of the California State Bar Rules, had been in effect in 1986, the date of the hearing, still three judges were required pursuant to Rule 558(a)(3), which states that there should be three judges if either the State Bar hearing examiner or the "member of the Bar (here this petitioner) elects to have the matter heard by a panel of three referees" (emphasis added). By opposing the appointment of a single, one-man, "Compensated Referee", in the October 4 and October 15, 1986 filings with the State Bar Court, and by this petitioner's objections to the one man referee in the declaration that was filed with the California Supreme Court along with his review brief, this petitioner once again requested THREE judges, as mandated by explicit California state law!

standing, and that this honorable Court would grant a writ of mandate, to the lower court, as it did in both Ex Parte Northern Pacific Railway 280 U.S. 142, and in Ex Parte Cogdell 342 U.S. 142. Alternatively, the Court is urged to issue the other writs requested. (Please see Appendix, pp. xv to xviii as well.)

3. JURISDICTION TO VOID A JUDGMENT WHEN JUDGE NOT INDEPENDENT OF PROSECUTION (QUESTION THREE OF TWELVE)

The third major jurisdictional abuse that was committed by the California Supreme Court and by the California State Bar in the present case was that of the State Bar of California actually hiring and paying the judge who decides State Bar cases! The U.S. Supreme Court has previously stopped this exact same type of abuse in Wong Yang Sun v McGrath 339 U.S. 33, 70 S Ct. 445, which involved Section 554(d) of the Administrative Procedures Act, which provides in pertinent part that

an administrative law judge may not:

> "be responsible to or subject to the supervision or direction of an employer or agent engaged in the performance of an investigative or prosecuting function for an agency." (Emphasis added.)[14]

4. JURISDICTION TO VOID A JUDGMENT THAT RESULTED FROM PRE TRIAL PUBLICITY AND LEGISLATIVE "PRODDING"
(QUESTION FOUR OF TWELVE)

Rideau v Louisiana 373 U.S. 723 and Chandler v Florida 449 U.S. 560 are U.S. Supreme Court cases that overturned

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14. In the present case, the State Bar of California, which prosecuted this petitioner, actually hired and actually paid a semi-retired, one-man "Compensated Referee," in violation of the principles in Wong Yang Sun v. McGrath, ibid, which also stated that one of the purposes of the Administrative Procedures Act was:

> "to curtail and change the practice of embodying in one person or agency, the duties of prosecutor and judge." (Emphasis added)

This conflict of interest has even been criticized by a special report of the California State Attorney General's Office, specifically calling it a "conflict of interests", yet nothing has been done to curtail this obvious abuse! This petitioner opposed the appointment of the "Compensated Referee" with the State Bar, in his October 4 and October 15, 1986 submissions to the State Bar Court, as well as in his declaration that was filed with the California Supreme Court, yet these his diction courts refused to act to stop this obvious constitutional abuse! (Please also see Appendix, pp. xviii to xxiv.)

judgments where pretrial publicity was found to be prejudicial. The U.S. Supreme Court obviously has jurisdiction to overturn the judgement in the present case that involved such an abuse.[15](See below.)

5. JURISDICTION TO VOID A JUDGMENT WHERE A STATE HAS NOT AFFORDED AN ATTORNEY HIS CONSTITUTIONAL RIGHTS IN A STATE BAR PROCEEDING (QUESTION FIVE OF TWELVE)

The U.S. Supreme Court has previously ruled that it has jurisdiction to prohibit the prosecution from actually adding new charges at trial, as was done in the present case, since this violates due process rights. In Re Ruffalo 390 U.S. 644, 885 S. Ct. 122, as well as in Cole V Arkansas 333 U.S. 196, 20. Also, this clearly violates this petitioner's Sixth Amendment right "to be informed of the nature and cause against him."[16]

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15. Please see Application for a Writ of Coram Nobis, or in the Alternative for a Writ of Error, Supplemental Points and Authorities, at p. 12, also, Appendix pp. xxiv to xxviii, and see below.

6. JURISDICTION TO VOID A JUDGMENT THAT RESULTED FROM A FALSE PROMISE OF SETTLEMENT. (QUESTION SIX OF TWELVE)

The U.S. Supreme Court has previously held that it has jurisdiction to void a judgment that resulted from a false promise of settlement.[17]

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16. In both the Stephen Miller (Hassan Haschemi) and Ghasemloo counts (discussed below), new charges appear in the findings that were not in the original charges! The original charges actually refer to acts committed against this petitioner's own **American** corporations, but the findings, on the other hand, erroneously relate to Hassan Haschemi's former **Iranian** companies that had similar names. The State Bar's "Compensated Referee" failed to understand the difference between this petitioner's American corporations, which this petitioner, an American, owned, and the Iranian companies, which Hassan Haschemi, an Iranian national, at one time formerly both owned and controlled, before he conveyed legal title of the assets of his Iranian companies to American corporations that were owned by this petitioner, which had similar names. Later, Hassan Haschemi was also found to have been divested of control of the Iranian companies, as was decided by the Iran-U.S. Claims Tribunal, which was quoted by the U.S. Circuit Court of Appeals. Please see Tchacosh v Rockwell, ibid, as well as Rexnord v Iran, Tchacosh, et al, ibid.

The changing of charges at trial was also done in the Phyillaier count, as shown below!

17. United States v. Throckmorton 98 U.S. 61; Kulcher v. Kulcher 1 Cal 3d 467. The responding party has the burden to show that the fraud did not affect the outcome of the case Hazel Atlas

7. JURISDICTION TO VOID A JUDGEMENT THAT IGNORES VALIDITY OF STATUTES OF LIMITATION (QUESTION SEVEN OF TWELVE)

The U.S. Supreme Court has held that it has jurisdiction to affirm the validity of statutes of limitation, Schiavone v. Fortune 477 U.S. 21, which was decided in 1986, the same year as the State Bar

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Glass Co. v. Hartford 322 U.S. 328.

This petitioner was fraudulently induced by false promises by the State Bar's Hearing Examiner, acting through his coached complaining witnesses, that the following matters had been resolved and dismissed! These witnesses actually signed written statements at the specific direction of the State Bar Prosecutor that the following claims had been dismissed! Objections were raised at trial, and in the petition for a Writ of Coram Nobis or a Writ of Error: Phyillaier (Please see Exhibit CC); Wetherford (Please see Exhibit B); Archuletta (Please see Exhibits F,G); and Mayes (Please see Exhibit FF).

This abuse clearly constituted plain error. The State Bar Prosecutor knew that this was intended to resolve the matters and that this petitioner would rely on it and thus was tricked into his not preparing his defense for trial. (Please see Transcript Vol. 1, p. 61-68, p. 124-126, p. 253, lines 3-14. Please also see Motions to Dismiss dated October 4,15, 1986 and also see pp. xlix to lv in Appendix and Supplemental Points and Authorities to Application for Writ of Coram Nobis or Error at pp 1, 7, 14, 15.)

hearing against this petitioner.[18]

8. JURISDICTION TO VOID A JUDGMENT WHERE THE CONSTITUTIONAL RIGHT TO CONFRONT WITNESSES AS GUARANTEED BY THE SIXTH AMENDMENT TO THE U.S. CONSTITUTION HAS BEEN DENIED (QUESTION EIGHT OF TWELVE)

The U.S. Supreme Court has previously held that it has jurisdiction to overturn a judgment where the right to confront witnesses, as guaranteed by the Sixth

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18. The statute of limitations for attorney malpractice in California is two years, yet this did not stop the State Bar's "Compensated Referee," from allowing the major charges to proceed, even though they were brought well beyond the time limits of the various statutes of limitations:

The Haschemi and Ghasemloo counts were filed 4 to 6 years after the alleged offenses. (Please see Transcript for objections, Vol II, p. 3, lines 11-25, p. 4 lines 1-21)

The Mayes-Ulricksen and Phyillaier counts were filed 4 years after the alleged offenses. (Please see Transcript for objections, Vol I, p. 200 line 25 to p. 201, ll 1-4.)

Charges that alleged N.S.F. checks and alleged practicing law without a license because of late payment of State Bar dues, were also brought from three to five years after the time of the alleged occurrences.

(For all of the above incidences, please also see discussion below, as well as Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities at p. 29. Please also see pp. lv to lviii in Appendix and Review Brief.)

Amendment of the United States Constitution, has been denied Pointer v. Texas 380 U.S. 400.)[19]

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19. The prosecution has the burden of showing that a witness is unavailable if he or she does not appear to testify. A good faith effort must be made by the prosecution to bring the witness to trial Ohio v. Roberts 448 U.S. 56, yet in the present case, the State Bar of California made no showing whatsoever why the following so-called "complaining witnesses" refused to appear, and actually refused to testify, in violation of this petitioner's constitutional rights! This petitioner objected at trial, and requested his right to confront his alleged accusers, which was denied him, as shown by these citations to the transcript, and in the Petition for a Writ of Coram Nobis or Error at page 16 and in Review Brief.)

a. Hassan Haschemi refused to testify.
(Please see Transcript Vol. 1, p. 3, lines 22-25; p. 4, lines 1-21; p. 72, lines 17-19; p. 74, line 4.)

b. Rebecca Archuletta refused to testify.
(Please see Exhibits F and G by which Rebecca Archuletta also stated that she had not actually filed a claim.)

c. The attorney for the County of Santa Clara in Wetherford also refused to testify.

These charges were brought by their attorneys acting alone, most of whom sought legally improper collateral advantages which they were not successful in obtaining in regular courts. These charges **should have been dismissed**, because the so-called "complaining witnesses" did not appear and did not testify at all!

By these acts, the California State Bar clearly and obviously violated the **Confrontation and Cross-Examination Clauses** of the Sixth Amendment of the United States Constitution. See

9. JURISDICTION TO VOID A JUDGMENT IN ORDER TO ENFORCE THE CONTRACT CLAUSE OF THE UNITED STATES CONSTITUTION, TO PREVENT STATE ACTION THAT "IMPAIRS" THE RIGHT TO CONTRACT (QUESTION NINE OF TWELVE)

California v. Green 399 U.S. 149, Ohio v. Roberts 448 U.S. 56, Dutton v. Evans 400 U.S. 74, all United States Supreme Court cases, which the California Supreme Court once again totally ignored in its haste to convict this petitioner!

This petitioner was even denied his right to subpoena Archuletta, Haschemi and the Deputy County Counsel in the Wetherford matter to testify when they did appear at trial, also a violation of this petitioner's right "to compulsory process for obtaining witnesses in his favor." Had this petitioner been allowed to subpoena these individuals, it would have been shown that it was their irate attorneys who in reality complained, mostly seeking legally improper collateral advantages which they could not obtain in regular courts that adhered to U.S. Constitutional standards.

An attorney, in this present case, the State Bar's Prosecutor, is not permitted to suggest what a witness might have testified to Jacobson v. National Dairy Products 176 N.E. 2d 551 (Ill. 1961), yet this is what happened in the Haschemi, the Archuletta, and in the Wetherford counts. Trial was by surmisal and conjecture since the alleged complaining witnesses did not even bother to show up! This petitioner's health problems and recent exploratory surgery for cancer, as well as the summary vacating of the order appointing counsel for this petitioner shortly before trial and without adequate notice, clearly prevented a more forceful presentation of these issues at an earlier date, yet the issues were timely raised!(Please see Application for Writ of Coram Nobis or for a Writ of Error, Supplemental Points and Authorities, at pp. 16, 19, 20. Please also 6see Appendix, pp. lvii to lxii.)

The U.S. Supreme Court long ago declared that it had jurisdiction to prevent state action which "impaired" contracts. Fletcher v. Peck 10 U.S. (6 Cranch) 87 (1810) is the leading constitutional case which describes the right of people not to have states "impair" the right of contract, pursuant to Article 1 Section 10 of the United States Constitution.[20]

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20. Home Building and Loan Association v. Beaisdell 290 U.S. 398, states the test for determining this type of constitutional violation. The State Bar of California "invalidated" contracts between this petitioner, Jonathan Ainsworth, and Wetherford, Archuletta, and Phyillaier, this petitioner's former clients, by which the former clients actually agreed in writing to dismiss their complaints against this petitioner, then were made by the State Bar of California to proceed anyway against this petitioner in the State Bar proceedings, after the State Bar Prosecutor actually counseled them to sign contracts by which they dismissed their claims and informed this petitioner in writing that they were dismissed! In doing this, The State Bar of California substantially "invalidated", "released", "extinguished", and "derogated" the contractual obligations of the parties, according to the test which the United States Supreme Court announced in the Home Building and Loan case, ibid. (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and

10. JURISDICTION OF THE U.S. SUPREME COURT TO VOID A JUDGMENT WHERE THE STATE BAR OF CALIFORNIA WILLFULLY AND DELIBERATELY DENIED THIS PETITIONER PROCEDURAL DUE PROCESS RIGHTS CONTAINED IN THE U.S. CONSTITUTION
(QUESTIONS TEN, ELEVEN, AND TWELVE)

The United States Supreme Court has previously held that it has jurisdiction to require that State Bars afford attorneys in State Bar proceedings their U.S. Constitutional rights to procedural due process. Please see In Re Ruffalo 390 U.S. 644, 885 S.Ct. 122, also Cole v. Arkansas 333 U.S. 196, 201.[21]

Authorities, at pp. 17. Please also see pp. lxi to lxv in Appendix.)

21. Please also see California Business and Professions Code Section 6085, as well as Giddens v. State Bar 28 Cal 3d 730 (1980).
Additional violations of procedural due process that showed outright prejudice:
a) Both the "Compensated Referee" and the Prosecutor showed outright prejudice because of this petitioner's religious convictions;
b) denying a continuance despite recent exploratory surgery for cancer;
c) subjecting this petitioner to marathon cross-examination following his exploratory surgery for cancer;
d) denying the right to cross-examination and even threatening this petitioner with jail time for conducting cross-examination and actually yelling

This petitioner hereby requests that his disbarment by summarily reversed by means of a writ, pursuant to United States

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at petitioner because he cross-examined and impeached a witness! This made it impossible to conduct any cross-examination at all;
e) continued denials of requests for a continuance and other objections;
f) personal insults made by both the State Bar's "Compensated Referee" and by the Prosecutor;
g) ridicule by the "Compensated Referee" of this petitioner's health problems;
h) berating petitioner by the "Compensated Referee";
i) proceeding even though this petitioner actually fell asleep at the hearing table due to his health problems and lack of sleep;
j) refusing to allow evidence to be introduced;
k) taking away this petitioner's court-ordered attorney, in specific violation of Gideon v. Wainwright 372 U.S. 335, with less than six days notice, and that by mail! In an attempt to justify this as an after-the-fact rationalization, the California Supreme Court cleverly re-examined the application for appointment of counsel, well after it had been granted, then summarily taken away. In the California Supreme Court's convoluted reasoning, the Court substituted the amount of gross income, before office expense and overhead, instead of the true amount of net income, in an attempt to make it appear that this petitioner could afford a lawyer at the time. With only six days notice, including mailing time, this petitioner could not respond in time before the motion to vacate the order appointing counsel was granted. (This petitioner's financial condition had been caused largely by his then existing health problems.)
l) utterly refusing to allow this petitioner to speak at all in the California Supreme Court

Supreme Court Rule 16.1. This Court is asked to use its mandamus or prohibition or common law certiorari power, which can be used against a State Supreme Court Deen v. Hickman 358 U.S. 57 (1958) and Buçolo v. Adkins 424 U.S. 641 (1976). This remedy is needed because the California Supreme Court and the California State Bar Association have clearly disregarded so many United States Supreme Court precedents.

CONSTITUTIONAL AND STATUTORY LAW

Article VI of the United States Constitution provides:

"In all criminal prosecutions the

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hearing!;
m) refusing to allow any testimony from a medical doctor concerning the effect prescription drugs had on this petitioner due to his health problems.
n) actual corruption on the part of the "Compensated Referee" and the State Bar's Prosecutor. (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, pp 10, 11, 18, 26-29 as well as Exhibits thereto, pp 72-80, 86-121, 179-216. Please also see pp lxv to xxxv in Appendix.)

accused shall enjoy the right...
to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witness in his favor and to have the Assistance of counsel for his defense." (Emphasis added.)

The 14th Amendment to the U.S. Constitution provides:

"nor shall any State deprive any person of life, liberty, or property, without due process of law." (Emphasis added.)

Article I Section 10, The Contract Clause of the United States Constitution, states:

"No state, shall...pass any...law impairing the Obligations of Contracts..." (Emphasis added.)

The Administrative Procedure Act Section 554 (d), whose spirit was violated, was designed:

"to curtail and change the practice of embodying in one person or agency the duties of prosecutor and judge."

California State Bar Rule 558 deals with three judges in California disciplinary proceedings. It provides:

"Except as provided in Rule 559, a hearing panel is composed of three referees...(Emphasis added.)

28 U.S. C. Section 1651 (a) provides:
The Supreme Court "may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law."

WHY THE WRITS SHOULD BE ISSUED

PRETRIAL PUBLICITY AND LEGISLATIVE "PRODDING"

WETA Television from Washington, D.C., a PBS affiliate, documented in a nationally televised program the pretrial publicity as well as the "legislative prodding" that were brought to bear on the California State Bar Association and its "Compensated Referee". These justify summary reversal pursuant to the U.S. Supreme Court Rule 16.1.[22]

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22. Pre-trial publicity is relevant in regard to the right to a fair trial, as the United States Supreme Court has previously held in Rideau v. Louisiana 373 U.S. 723, and in Chandler v. Florida 449 U.S. 560. Also, several federal courts have held that Legislative "prodding" (in the present case as done by the California State Legislature) may require reversal of an agency's wrongful action. District of Columbia Federation of Civic Association v. Volpe 459 F 2d 1231 (D.C. Cir 1973, cert denied) Eastern Airlines, Inc. v CAB 271 F 2nd 752 2nd Cir 1959) Pillsbury, Co. v FTC 354 F 2nd 952 (5th Cir 1966) Sierra Club v Castle 657 F 2nd 298 (DC Cir 1988).

A transcript from WETA, the Washington, D.C. station which produced a documentary that dealt with attorney discipline, proves that near hysteria actually reigned in the California State Bar Association because of the "legislative prodding" by the California State Legislature to

"Narrator: ... The catalyst was a stinging series on lawyer discipline published in March of 1985 by the San Francisco Examiner..." (WETA Transcript at pp. 13,14)

"Kelly: the only reason the bar ever brought him (referring to another lawyer) to justice at all was because they were personally humiliated by having the San Francisco Examiner use him as the worst example of a shyster that the Bar had never done anything about..." (WETA Documentary Transcript at p. 14, Emphasis added)

"Narrator: The public outcry was heard in Sacramento, the state capital, where Senator Robert Presley formed a task force to make recommendations on improving California's political system..."

"Narrator: The State Bar Association saw trouble brewing, and put into effect some reforms of its own. The secrecy has been reduced, penalties stiffened and the investigation staff beefed up. Former State Bar President David Holpern:

"Holpern: The system is a lot stricter, and we mean business." (Please see WETA TV Transcript at page 14, Emphasis added.)

This shows that the California State Bar Association was at the time being highly pressured to produce convictions at any cost!

Hassan Haschemi

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obtain convictions. This has previously been brought to the attention of the California Supreme Court, absolutely to no avail, by means of the Application for a Writ of Coram Nobis, or in the Alternative for a Writ of Error, Supplemental Points and Authorities, at page 12 and at pp. 53-71 of Exhibits to the Application.

As previously stated in the jurisdiction section, the State Bar of California's "Compensated Referee" erroneously asserted his own jurisdiction here, even though the Iran-U.S. Claims Tribunal held that the entity involved was an entity of the Islamic Republic of Iran, and in spite of the U.S. Supreme Court's holding in Dames and Moore v Regan 453 U.S. 654 (1981), in which the U.S. Supreme Court upheld the exclusive jurisdiction of all such claims with the Iran-U.S. Claims Tribunal in The Hague, The Netherlands! Also, as previously stated, the California State Bar's "Compensated Referee" erroneously found that Hassan Haschemi both owned and controlled Tchacosh, even though the Ninth Circuit Court of Appeals ruled and quoted the decision of The Iran-U.S. Claims Tribunal that ruled to the contrary that Tchacosh was an entity of the Islamic Republic of Iran and Hassan

Haschemi could not represent it![23]

It follows that: 1. Neither Hassan Haschemi nor his new attorney, Stephen Miller, had proper authority to prosecute a claim against this petitioner, since according to both U.S. courts, neither had authority to represent Tchacosh. Both were impostors! 2. The Iran-U.S. Claims Tribunal had the exclusive jurisdiction to hear a claim that involves Tchacosh and Jonathan Ainsworth and so neither the State Bar Court of California nor the California Supreme Court had any jurisdiction to award Hassan Haschemi

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23. Please see Tchacosh v. Rockwell, 766 F 2d 1333 (1985), in which the United States Court of Appeals for the Ninth Circuit upheld the decision of the U.S. District Court in Los Angeles that had held that Hassan Haschemi was not able to control Tchacosh or to bring suit in its name! Both of the federal courts cited the decision of the Iran - U.S. Claims Tribunal which had exclusive jurisdiction in a case that involved Tchacosh, as holding that Hassan Haschemi had been completely divested of his power to control Tchacosh, which was, now an entity of the Iranian Government! Please see Rexnord v Iran, Tchacosh, et al, ibid.

title, ownership and control of Tchacosh, which their erroneous opinions against this petitioner erroneously purported to do! 3. Attorney Stephen Miller's erroneous assertion at this petitioner's trial in the State Bar Court that Hassan Haschemi both owned and controlled Tchacosh, despite the decisions of the Iran-U.S. Claims Tribunal and those of the federal courts, which he failed to mention, was outright and deliberate perjury![24]

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24. The decision by the California State Supreme Court is directly contrary to that of the Ninth Circuit Court of Appeals, which quoted the proper decision of the Iran-U.S. Claims Tribunal, which had exclusive jurisdiction. The California Supreme Court's erroneous assumption of jurisdiction in this matter is also directly contrary to the U.S. Supreme Court's decision in Dames and Moore v Regan, ibid, which upheld the exclusive jurisdiction of the Iran-U.S. Claims Tribunal in matters such as this one that involved Tchacosh, an Iranian Government entity. As such, it is reviewable by the U.S. Supreme Court. (Please see Thompson v City of Louisville 362 U.S. 199 and Garner v Louisiana 368 U.S. 157, as well as Application for a Writ of Coram Nobis or in the Alternative, for a Writ of Error, Supplemental Points and Authorities pages 1-6, Exhibits pp 1-32, 47-52, 122-178.)

The Ninth Circuit Court of Appeals has found:

"The Iranian decrees divesting Haschemi of

The perjured testimony of attorney Stephen Miller clearly affected the outcome of the State Bar's case, and so

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authority to bring suit on behalf of Tchacosh will be given effect.

"Accordingly the District Court's grant of summary judgment in favor of Rockwell is affirmed." (Emphasis added), Tchacosh v. Rockwell 766 F 2d 1333, 1339.)

This petitioner, Jonathan Ainsworth, owned, founded and even named Petru, an American corporation, the holding company of Tchacosh and others. Petru's name comes from the motto for the Plimsol Club, which is in the World Trade Center, (formerly the International Trade Mart) in New Orleans. The name "Petru," which Jonathan Ainsworth gave his own corporation, is an acronym for "peace through trade and understanding." This motto appears on the wall of the Plimsol Club in New Orleans, Louisiana, this petitioner's home town. As far as this petitioner knows, Hassan Haschemi, an Iranian national, has never even been to the Plimsol Club or even to New Orleans. This petitioner's ownership is also proved by means of a copy of the stock certificate and other corporate documents. (Hassan Haschemi, an Iranian national, had transferred complete ownership of assets in Iranian companies he had owned to American corporations which were owned by Jonathan Ainsworth's corporation, Petru International Corporation, of which Jonathan Ainsworth owned 100%. This was in consideration of legal services, was an arms length transaction, and was specifically at Hassan Haschemi's explicit suggestion and request, not Jonathan Ainsworth's! It had been Hassan Haschemi's personal idea to transfer ownership of assets that belonged to Hassan Haschemi's three Iranian companies to American corporations which were owned by this petitioner, Jonathan Ainsworth. This had been

the conviction should be set aside! Hazal Atlas Glass Co. v. Hartford 322 U.S. 238.[25]

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proposed by Hassan Haschemi to pay for Jonathan Ainsworth's legal services. (Please see Exhibit 20c, plus Exhibit KKK, which are corporate organization documents of this petitioner's American corporations, not Hassan Haschemi's Iranian companies which the State Bar constantly confused and referred to interchangeably. The limited power of attorney did not affect this since Iran seized and nationalized the assets before Haschemi even attempted to use it!)

25. It was proper for Jonathan Ainsworth to have represented himself as well as his own private American corporation, Petru, as well as Ainsworth's other American corporations, in the earlier lawsuit in the United States District Court in Los Angeles. This petitioner clearly advised the United States District Court in Los Angeles of his ownership of Petru and Ainsworth's other American corporations, and submitted his proper corporate ownership documents. The U.S. District Court then took the matter under submission, then ruled, approximately six months later. (The U.S. District Court was completely and totally without jurisdiction to rule when it did since, in the interim, the matter had been ordered transferred to the Iran-U.S. Claims Tribunal in The Hague, The Netherlands!) If there was any delay, as alleged by the State Bar of California, it was caused by the U.S. District Court, which didn't appear to be in a hurry because there had been a stay order in effect at the time, as in all cases that had involved the Government of Iran and its controlled entities (such as Tchacosh in this present case) at that time, up to the time vesting the Iran -U.S. Claims Tribunal with exclusive jurisdiction by President Carter's Executive

When the U.S. District Court in Los Angeles finally recognized that Hassan Haschemi did not in fact truly control Tchacosh[26], citing the Iran - U.S. Claims

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Agreement that sent the the lawsuits to The Hague, The Netherlands! (Please see Court docket, ex.40.)

During the time that the stay order had been in effect, Jonathan Ainsworth had deposited copies of his court files with the U.S. District Court in Los Angeles as requested by the court, so that Hassan Haschemi could represent his own personal interests, if any, in the lawsuit, with his new lawyer, Stephen Miller, once the lawsuit recommenced, if ever. This fact is curiously omitted in the erroneous decision of the California State Supreme Court! During the time that the stay order was still in effect, the U.S. District Court in Los Angeles had erroneously vacated its previous order regarding the court files, then, without notice to anyone, reinstated it in the form of an order! Please see Exhibit 26, which bears no proof of service because it wasn't served, mailed or given to this petitioner at any time prior to the State Bar hearing! This petitioner had no knowledge that that order had been reinstated!

A substitution of attorneys that had been sent to the United States District Court reflecting Hassan Haschemi's new representation by attorney Stephen Miller accurately reflected the proper corporate ownership of this petitioner's American corporations, as contrasted with Hassan Haschemi's former Iranian companies, as requested by Hassan Haschemi!

26. In another mistake, the California State Supreme Court's decision, which once again completely usurped the exclusive jurisdiction of the Iran-U.S. Claims Tribunal in this regard, is

Tribunal's decision, which had exclusive jurisdiction, pursuant to the U.S. Supreme Court's opinion in Dames and Moore v Regan, ibid,[27] the U.S. District Court

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written in such a way as to mistakenly make it appear that Jonathan Ainsworth wrongfully demanded $40,000 from Hassan Haschemi as ransom for copies of legal files. This is incorrect. The erroneous opinion fails to mention that the evidence showed this petitioner afforded Hassan Haschemi's new attorneys ample opportunity to both inspect and copy this petitioner's complete files, yet they refused to do so because they did not want to pay for copying expenses! This was adequately documented in writing at trial, yet the "Compensated Referee" said absolutely nothing about this in his erroneous opinion! Also, the request for payment by Jonathan Ainsworth to Hassan Haschemi reflected amounts owed by Hassan Haschemi to this petitioner on other legal matters, since Hassan Haschemi was derelict in paying! Refusal to pay his legal bills was the real reason that Hassan Haschemi decided to change lawyers. Payment by Hassan Haschemi was never made a condition precedent for Hassan Haschemi or his new attorney copying Jonathan Ainsworth's law file. To say otherwise is to read something into the exhibits that simply is not there.

27. Please see Tchacosh v. Rockwell 766 F 2d 1333, 1339, Exhibit 40, items 194, 196, 197, which show that Summary Judgment was rendered against Hassan Haschemi while he was represented by his new attorney, Stephen Miller, the perjuring witness in the present case. Before this happened, the U.S. District Court in Los Angeles, Judge Takasugi, acted totally without jurisdiction since all cases that involved Iranian Government controlled entities, such as Tchacosh, had been

promptly threw Hassan Haschemi out of its court as an impostor, by means of Summary Judgment.[28] So outrageous are the

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ordered transferred to The Iran-U.S. Claims Tribunal at The Hague, The Netherlands. Judge Takasugi mistakenly held this petitioner in contempt, because he was somewhat late in depositing his copy of the court file in court (Please see exhibit 26). Judge Takasugi clearly exceeded his jurisdiction in this regard, since the matter had already been ordered transferred to the Iran - United States Claims Tribunal in the Hague, the Netherlands, which had been vested by President Carter with exclusive jurisdiction in all matters that involved Iran's Government controlled entities and American citizens and entities! Also, this petitioner at the time was relocating his law office from Southern California to Northern California and he was still contesting in court his obvious and completely documented ownership of Petru, an American corporation, which Jonathan Ainsworth still legally owned! (Please see exhibits 20(c) and KKK.) It is not improper for an attorney, acting within the framework of the law, to refuse to comply with an unjust court order in order to test its validity and to appeal that unjust court order, ABA Ethical Consideration 7-25, Model Code of Profession Responsibility Rule 3, and a contempt is reviewable Codisport v Pennsylvania 418 U.S. 506, 517 n 6 (1974). In fact the order to deposit copies of court files had been vacated by the U.S. District Court in Los Angeles, then apparently reinstated by the Court, sua sponte, without giving notice! The order reinstating the order to deposit court files bears no proof of service because it was made outside of the presence of this petitioner and was erroneously never mailed or given to him and this petitioner had no knowledge of it! The erroneous order was nevertheless complied with! This

California Supreme Court's outright mistakes[29] in this regard, that this petitioner hereby requests this Court to

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petitioner actually brought the file to court at a later date, which date was stipulated to by the U.S. District Court! The alleged contempt was erroneous! This petitioner was derelict in pursuing his appeal of the erroneous contempt order, due to the untimely death of this petitioner's uncle, Hon. Robert A. Ainsworth of the United States Court of Appeals for the Fifth Circuit.

28. When the U.S. District Court in Los Angeles later realized the truth about Hassan Haschemi's lack of sufficient rights to represent Tchacosh in court, it granted Summary Judgment against Hassan Haschemi! Please see Tchacosh v Rockwell, ibid.

It is not clear whether the U.S. District Court in Los Angles or the State Bar Court or the California Supreme Court ever realized the exclusive jurisdiction of the Iran-U.S. Claims Tribunal in The Hague, The Netherlands, and all U.S. courts' total lack of jurisdiction to enter any substantial order, except to recognize a decision of the Iran-U.S. Claims Tribunal after all American courts had been deprived of jurisdiction to act by President Carter's Executive Agreement, as upheld by the United States Supreme court in Dames and Moore v Regan, ibid. (Please see Exhibit 40 items 194, 196, 197, and Appendix pp. 1-18, following the divider.)

29. Because of the earlier ownership confusion by the U.S. District Court in Los Angeles, acting totally without jurisdiction, since The Iran-U.S. Claims Tribunal had exclusive jurisdiction in such matters, this petitioner was actually charged by the State Bar with committing an offense against his own United States corporation, Tchacosh

summarily reverse the California Court's order of disbarment, pursuant to U.S. Supreme Court Rule 16.1.

Farid Afshar Ghasemloo

The State Bar of California Bar actually charged this petitioner with improperly hiring a paralegal in order to help him recover moneys owed to this

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Company, Inc., an American corporation, which was owned by an American, this petitioner! (Please see first count, ownership allegation.) This is an American corporation, which was owned 100% by Petru, of which this petitioner owned 100%. (Please see exhibit 20c, stock certificate, as well as exhibit KKK, other corporate documents), yet the erroneous findings of the State Bar mistakenly refer to an Iranian company, with a similar name, which Hassan Haschemi at one time, but no longer owned or controlled! (Please see the decision by the United States Court of Appeals for the Ninth Circuit entitled Tchacosh v. Rockwell 766 F 2d 1333, 1339.) The completely unfounded State Bar charges were brought by a foreign national's lawyer, who had already lost in the federal courts concerning his client's alleged control of the corporate entity, Tchacosh. (Please see pages 1-32, 47-52, 122-178 of Exhibits to Supplemental Points and Authorities to Application for Writ of Error Coram Nobis or Error.)

petitioner's own American corporation![30] Once again, as in the Haschemi/Miller count, the charges of the State Bar differ materially from the erroneous findings of the "Compensated Referee" that were erroneously adopted by the California Supreme Court in regard to this count.[31]

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30. Improperly calling this splitting an attorney's legal fee is absurd, since as charged, this petitioner was suing for money that was owed to his own personal American corporation! As owner of the American corporation that is named in the charges, this petitioner was not paying himself, or anyone else for that matter, a legal fee, nor could hiring a paralegal be properly construed as splitting a legal fee! This happened because both the California State Bar and the California Supreme Court were improperly lied to by the perjured testimony of attorney Stephen Miller. This continued the courts' ownership confusion regarding the proper corporate ownership of Petru and Tchacosh, despite the exclusive jurisdiction of the Iran-U.S. Claims Tribunal to decide such matters, and despite the decisions of the U.S. District Court and the Ninth Circuit Court of Appeals, which incorporated the award of The Iran-U.S. Claims Tribunal that said Hassan Haschemi did not control Tchacosh! The California Bar and the California Supreme Court were unaware of attorney Stephen Miller's outright and deliberate perjury in this regard!

31. The charges relate to Ainsworth's American corporations, but the findings once again relate to Haschemi's Iranian companies. Also, once again, there is an overt conflict between the

Petitioner hereby requests that the order of disbarment be summarily reversed, pursuant to United States Supreme Court

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decision of the U.S. Circuit Court of Appeals and the erroneous decision of the California State Supreme Court, which still seems to be under the mistaken impression that Hassan Haschemi somehow still controls Tchacosh, despite the above decisions which found Tchacosh was an Iranian Government entity, thus depriving the State Bar Court and the California Supreme Court of their jurisdiction to decide a claim that involved Tchacosh!

The California Supreme Court once again adopted the erroneous findings of the California State Bar which erroneously held that Tchacosh was still owned and controlled by Hassan Haschemi, thus erroneously conferring upon itself improper jurisdiction, as well as once again conferring upon Hassan Haschemi and his attorney Stephen Miller improper standing to bring a claim against Jonathan Ainsworth, this petitioner, since Hassan Haschemi was found not to have standing by the courts which did have proper jurisdiction, i.e. by The Iran-U.S. Claims Tribunal!

If the complaining witness' report and interview notes had been revealed to this petitioner, they would no doubt have shown that this petitioner's former client, Hassan Haschemi, who was later represented by attorney Stephen Miller, never in fact filed a complaint against this petitioner with the State Bar! Hassan Haschemi never appeared at the State Bar hearing and never gave any testimony whatsoever against this petitioner, a clear violation against this petitioner's fundamental rights to confront and cross-examine the alleged complaining witnesses against him, in continued violation of this petitioner's Sixth Amendment rights! This petitioner demanded all of these constitutional

Rule 16.1, and that he be reinstated, immediately, as a member of the California State Bar Association and that the California Supreme Court be so ordered. (Also, the alleged admissions which the California Supreme Court erroneously refers to in its opinion were, in fact, never made.)

Lyle Wetherford[32]

In this case a Deputy County Counsel for the County of Santa Clara County who

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rights, but they were denied him on an arbitrary and capricious basis, both at the State Bar hearing and in the California State Supreme Court! (See briefs.)

32. This complaint involved this petitioner's handling of a class action lawsuit on behalf of approximately 27 plaintiffs, only one of whom, Mr. Wetherford, complained to the State Bar of California. These facts were omitted by the California State Bar and by the California Supreme Court in their erroneous decisions. (Please see page 10 of Appendix, prior to divider.) In a spirit of compromise, this petitioner refunded to Mr. Wetherford all the money he had paid, $500. Mr. Wetherford agreed in writing to dismiss his complaint, but was made by the California State Bar Association to proceed against this petitioner anyway!

had lost the landmark case In Re Jerald C. 36 Cal 3d 1, in the California State Supreme Court sought to achieve his goals in another way, by personally attacking this petitioner who was the lawyer for several aggrieved parents whose funds had been improperly taken from them by various California counties. Once again, the alleged complaining witness refused to testify.[33] So outrageous was the conduct

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33. As always, this petitioner demanded his constitutional right to confront and cross-examine this complaining witnesses against him. Once again that right was denied him, as was done previously. This objection was later made to the California Supreme Court, which omitted any comment whatsoever!

In In Re Jerald C., ibid, the California State Supreme Court had outlawed the practice of California counties charging parents for room and board for their minor children while their children were incarcerated in California's juvenile halls. The California Supreme Court first decided that this was a denial of equal protection, then temporarily allowed a rehearing, then reinstated, or decided again that the practice was unconstitutional!

This petitioner had been approached by numerous parents, twenty-seven in number, and asked by them to recover moneys which various California counties had taken from them unlawfully. Various class actions were filed on their behalf by this petitioner.

of the State Bar[34] that the disbarment should be overturned summarily, pursuant to U.S. Supreme Court Rule 16.1. (The

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34. During the time after a rehearing had been granted in In Re Jerald C., ibid, by the California State Supreme Court, and prior to the time that the case was decided again against the various California counties, this petitioner mistakenly cited the original decision in earlier court papers. As soon as the mistake was discovered, the incorrect citations were changed, yet this fact is curiously omitted from the California Supreme Court's erroneous opinion. (California State Bar Rule 7-105 was not violated, since it refers only to "knowingly" citing improper authority. Improper findings of "malice" are reviewable by this court. New York Times Co. v. Sullivan 376 U.S. 254, 285 (1964.)

No one was fooled, no one was misled, yet a Deputy County Counsel of Santa Clara County, who later lost the In Re Jerald C. case in the California Supreme Court, sought to derail the claims of the parents by attacking their attorney through the State Bar. Said attorney willfully failed to testify against this petitioner, in violation of the Confrontation Clause of the Sixth Amendment of the United States Constitution. Despite the fact that this petitioner later changed the earlier mistake in the citations, he was charged with and actually convicted of allegedly deliberately perpetrating a fraud on the court! Absurd as this seems, the simple explanation and profound apologies for this inadvertent mistake, which fooled no one and caused absolutely no harm whatsoever, were drowned out by the documented hysteria and political pressure to obtain convictions at all costs that then existed at the California State Bar, particularly in San Francisco, where the Hearst newspaper and certain state legislators were then

"admissions" which The Supreme Court felt this petitioner made, as erroneously reported in the Decision at pages 44 and 45 of the Appendix, prior to the divider, are totally incorrect.)[35]

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on the warpath, as previously proved! Convictions at all costs was the order of the day, never mind the truth! (Please see Transcript, Volume VIII, page 83, lines 8-25 through page 84 lines 1-8, as well as Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, Exhibits, at pp 10, 81-83. Please also see pages 18-25 in the Appendix, following the divider.)

35. This petitioner had felt sorry for Mr. Wetherford, who had said he had very limited funds, and agreed to represent him for the total sum of $500, which was reimbursed to him in a spirit of compromise, after he complained. (See Exhibit B.) Apparently, he was the only one of the 27 clients who erroneously felt he had not received adequate communications from this petitioner, since he was the only one who filed a complaint with the State Bar, yet he admitted in his testimony under oath that he did not even bother to read correspondence, which had contained this petitioner's new address. Mr. Wetherford even admitted in the testimony that he had received this correspondence that showed this petitioner's new law office address! (Please see Transcript Vol. I, pp 87-95, 107.) Mr. Wetherford also perjured himself since his testimony under oath clearly contradicted his earlier written complaint form against Jonathan Ainsworth. State Bar exhibit 100 clearly shows this. The Wetherford complaint states, in pertinent part:
"...We have not heard from him, and we do not know where he is. We do not even know if this claim has

Rebecca Archuletta

This case involved a personal injury to Mrs. Archuletta's minor son.[36] The "Compensated Referee," wrote the opinion in such a way as to make it appear that this petitioner received minor's funds without obtaining prior court approval. The truth of the matter was that this petitioner was paid in advance from the parents' funds, not the minor's funds. This did not require advance court approval as a minor's compromise since the parents were not minors, and it was their funds, not their child's funds.[37] So

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been filed,...," yet he admitted receiving several items of correspondence at the hearing, but actually testified he did not bother to read them.

36. Mrs. Archuletta said that she never actually filed a complaint against this petitioner with the State Bar, (Please see exhibit F, paragraph 3.), and she refused to testify against this petitioner as well, once again violating this petitioner's Sixth Amendment right to confront the witnesses against him!

37. This clear juxtaposition of facts by the "Compensated Referee" may well reflect the

outrageous was the State Bar's conduct that the matter should be summarily reversed pursuant to United States Supreme

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Referee's total ignorance of the law and facts; worse still, it may reflect the "Compensated Referee's" total failure to even read the exhibits at all! (Please see Exhibit 59 which clearly shows that the insurance checks were made payable to the parents, who were insured and indemnified for the medical costs that they incurred.) This petitioner was simply paid by the parents, from their own money, thus not requiring advance court approval, since the parents were not minors! Still worse, this whole scenario is probably the result of the fact that the "Compensated Referee" was simply paid to produce convictions, because of the enormous pressures then being applied to the California State Bar by both the California State Legislature as well as by the "yellow journalistic" San Francisco Examiner, as described previously!

Mrs. Archuletta had concealed from this petitioner that she was actually an unwed mother, who later married her son's father's brother (true!), then later slammed a safe door on her son's finger, breaking it in the process. (It was not an automobile accident as the State Bar's "Compensated Referee" and the California State Supreme Court, neither of which read the exhibits, nor corrected their mistakes, erroneously found (Please see Appendix at pages 13, 14, prior to divider.)

In the minor's compromise, this petitioner stated the facts as he had first been told regarding the minor child's alleged parentage, then later properly corrected them, after learning the true facts concerning parentage, despite the earlier improper representations and omissions which had been originally falsified by the child's parents that had concerned the child's true

Court Rule 16.1.

Alleged NSF Checks

During the entire course of his law practice and during the time he was in extremely poor health with severe bouts of ulcerative colitis,[38] this petitioner mistakenly[39] drew three N.S.F. checks on

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parentage! Here again the mistake was corrected with the Court as soon as it was learned. Having to amend pleadings due to the parents' misrepresentations regarding true parentage should not be a disbarable offense! Also, there was no deception by this petitioner because the minor's compromise petition accurately stated that this petitioner had been "paid"—past tense (Please see Exhibits 60, 61, 66). Erroneous findings regarding "malice" are reviewable. New York Times Co. v. Sullivan, ibid. (Please also see Application for Writ of Error Coram Nobis, Supplemental Points and Authorities, Exhibits pp 84-85 and pp 25-29 in the Appendix, following the divider.)

38. Dr. Tuckman's testimony was improperly excluded by the State Bar's "Compensated Referee", and improperly disallowed by the California Supreme Court as well, thought this petitioner strongly protested! (Please see Motion to Augment, as well as Review brief.)

39. Findings regarding "malice" are reviewable New York Times Co. v. Sullivan, ibid.

his personal checking account. As soon as the mistakes were discovered, the mistakes were corrected,[40] yet the State Bar's "Compensated Referee" wrote his findings in such a way as to make it appear that grand theft larceny was intended and committed, outrageous as this seems![41]

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40. Once again, the State Bar willfully and deliberately failed to produce a single complaining witness in regard to this charge, once again violating the Sixth Amendment confrontation clause, because all checks were made good as soon as possible after discovery of admitted mistakes, yet the State Bar made it appear in its decision that this was not in fact done! (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, Exhibits thereto, pp 33-46, 85 and also see Exhibits AAA, BBB, III, JJJ, PPP, as well as Dr. Becker's testimony.)

41. The first incident involved a check for State Bar dues, which were therefore late. This was corrected as soon as possible. The State Bar actually accused Jonathan Ainsworth, this petitioner, with practicing law without a license during this time because of this, yet the State Bar's unfounded accusation involved this petitioner representing himself in a federal court!

Anyone can represent himself in court, in pro per, regardless of his status as an attorney. It is questionable that this petitioner ceased to be an attorney simply because his state bar dues were temporarily late, as the State Bar improperly alleged. Regardless, there was no ethical

So outrageous were the State Bar of California's actions that this petitioner hereby requests this Court to summarily

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infraction since at the time of the alleged offense, this petitioner was merely representing himself! This cannot be said to have been practicing law without a license, as the State Bar's "Compensated Referee" erroneously found. (Please see errors in Decision in Appendix, at page 15). Once again, relevant facts and laws were totally ignored by the State Bar's "Compensated Referee".

Calling self-representation in federal court "practicing law without a license" and a disbarable offense is clearly erroneous. Theard v United States 354 U.S. 278 (1957), In Re Ruffalo 390 U.S. 544, 547, 885 S.Ct. 122, 124, as well as Green v. Elbert 63 Fed Rpr 308, all of which the California Supreme Court totally ignored in its written opinion, each state that even disbarment from a State Bar Association (and thus also temporary suspension for late payment of State Bar dues as well) from a **State Bar** does not automatically result in disbarment from the Bar of the U.S. courts! The "Compensated Referee's" biased opinion involved obvious errors, both of law and of fact! (Please see erroneous decision of the California Supreme Court as well, in Appendix page 15, prior to divider.)

The second alleged offense involved a check mistakenly returned N.S.F. by the United States District Court in San Francisco, which again was corrected as soon as it was discovered. The same thing mistakenly happened with another check to a client, Rebecca Archuletta, who stated in writing that she did not complain against this petitioner! The check was later "Made good!"

(Please see Exhibits F and G. Please also see pages 29 to 34 in the Appendix, following the divider.)

reverse his conviction pursuant to United States Supreme Court Rule 16.1.

Karen-Mayes Ulricksen

The State Bar of California disbarred this petitioner for conduct which the United States Supreme Court itself approved of in Nix v. Whiteride 106 S. Ct. 988, (1986), as well as in Alexander v U.S. 289 U.S. 1, 53 S. Ct. 465; and in Clark v U.S. 299 U.S. 186. These cases involved reporting the perjury, crimes and fraud of a client to a court.[42] This

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42. Once again the complaint against this petitioner was filed at the suggestion of yet another disgruntled lawyer, Gary Leper, who had been unsuccessful in accomplishing his goals in ordinary courts of law. Karen Mayes-Ulricksen's case had involved the untimely death of her husband, Jim Mayes, who had been one of this petitioner's clients. This petitioner, the Probate Court Judge (exhibit DD, in part), a Deputy District Attorney (Transcript, Vol IV, pp 110-125, see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, Exhibits pp 76-80), and the local Coroner's Office (See exhibit DD), all suspected that Jim Mayes was killed by his wife, who later married her live-in boyfriend, who was also the same paramedic who had taken Jim Mayes, her husband, to the hospital and had apparently aided Karen Mayes in administering overdoses of a wide assortment of prescription

clearly indicates that summary reversal is warranted pursuant to U.S. Supreme Court Rule 16.1 (c).

This petitioner stated his good faith belief, on information and belief, in regard to the above.)[43] The State Bar

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drugs, including large amounts of Valium, to Jim Mayes! Karen Mayes even later admitted administering these drugs to her husband who suddenly died at age 40! After Karen Mayes' husband died from the drug overdose, she married her live-in boyfriend-paramedic who had driven her husband to the hospital, during which trip he had apparently died! She thus became Karen Mayes Ulricksen. (The paramedic's last name.) (Please see Transcript Vol. III, page 54, lines 21-25. See also exhibits DD and 108 in pertinent part, as well as Reporter's Transcript, Volume IV, pages 110-125.)

Later it was discovered that Karen Mayes had actually probated a forged will, in her own handwriting, giving her everything and her children nothing, and that she had signed it herself! Jonathan Ainsworth had warned her not to do this, and withdrew from representing her in all her cases because she wanted him to do this for her, as well as other highly unethical acts! (Please see Exhibits DD and 108.)

43. In Nix v. Whiteride 106 S. Ct 988, decided by the United States Supreme Court in 1986, the exact same year as in the Ainsworth case, the United States Supreme Court held that it was not improper for an attorney to warn a client that he might tell the trier of fact of the client's perjury! For the State of California to disbar this petitioner for advising the Probate Court of Karen

conviction should be overturned summarily, pursuant to United States Supreme Court Rule 16.1, and this petitioner be

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Mayes' fraud, i.e. for doing exactly what the United States Supreme Court specifically approved of is unconscionalble! (Please see exhibits to Application for a Writ of Coram Nobis or Error, Supplemental Points and Authorities, at pp 89, 90.)

Also, an attorney must disclose the fraud of his client upon a Tribunal DR 7-102(B)(2), and an attorney has a duty to reject illegal cases, as Jonathan Ainsworth properly did in the present case! An attorney cannot cooperate in violations of the law California Business and Professions Code Section 6068 (C); DR 7-102! In the present case, Jonathan Ainsworth's withdrawal from the Mayes cases after learning of Mayes' various improper actions was justified! (Please see exhibits DDC1 & C2, 108C1 & C2). In addition, this petitioner was legally and ethically bound to divulge physical evidence of crimes committed by Karen Mayes-Ulricksen, according to California law, as well as by a long line of other cases. This includes the forged will which Karen Mayes-Ulricksen hired another attorney to illegally probate after being specifically warned by Jonathan Ainsworth that she should not do this! (Please see State Bar Exhibit 108 and DD also Exhibits 81 and 82.)Penal Code Section 135; In Re January 1976 Grand Jury 534 F 2d 719; State v. Olwell 394 P 2d 681; Morrel v. State 575 P 2d 1200.

Communications regarding continued crimes, such a probating a forged will, as Karen Mayes had requested and actually went on to do (with another lawyer), in the present case, are not privileged communications between an attorney and a client California Evidence Code Section 956, nor are future crimes that would cause serious damage to

immediately returned to good standing as a member of the California State Bar at once.[44]

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members of the public Tarasoff v. Regents of the University of California 17 Cal 3d 425; Los Angeles County Bar Association Opinion 353. Jonathan Ainsworth's duties to his now deceased client, Jim Mayes' heirs, which were completely overlooked by the court, had to be considered, yet the Supreme Court of California's erroneous opinion curiously omits mention of this!

44. Please see Petition for Writ of Coram Nobis or Error, Supplemental Points and Authorities at pp 22-25. Please also see pages 35 to 41 in the Appendix, following the divider. Once again erroneous findings regarding this petitioner's alleged malice are reviewable See New York Co. v. Sullivan, ibid. United States Supreme Court precedents and other precedents that were completely ignored by the California State Bar and by the California Supreme Court included, but were not limited to ignoring:
a) The right of an attorney to reveal confidences that involved "on-going crimes." Alexander v. U.S. 289 U.S. 1, 53 S. Ct. 465, Fusten v. U.S. 22 F 2d 66.
b) The right, indeed the obligation of an attorney to reveal a forged will by a former client, was consistently ignored by the California State Bar and by California Supreme Court. Greenough v. Gaskell 1 Myl & K QB Div (Eng) 153 CCR; Reg v. Avery Cqar & p. 596, 173 Eng Rptr. 633; Strong v. Abner 268 Ky 502, 105 SW 2d 599; Bonner's Succession 192 La 299, 187 SO 801. This was particularly true since the forged will involved the interest of another of this petitioner's clients, i.e., the deceased husband, Jim Mayes' rightful heirs.
c) The right of an attorney to testify regarding

Michael Phyillaier's completely false allegations were completely disproved by another of the State Bar's own witnesses,

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"frauds" committed by a client include Thomas v. Jones 105 W Va 46, 141 SE 434; People v. Peterson 60 App Div 118, 69 NYS 941; Ridener v. Corn 256 Ky 112, 75 SW 2d 737, People v. Mahon 1 Utah 205. All of these cases were totally ignored by the California State Supreme Court and by the State Bar's "Compensated Referee", as well! (Please see post trial motions to the State Bar Court, as well as the Review Brief.)

Also, the American Bar Association standard, allows in DR4-101(C) that:

"A lawyer may reveal:

(3) the intention of his client to commit a crime and the information necessary to prevent the crime.

(4) confidence or secrets necessary to establish or collect his fee or to defend himself or his employees or associates against an accusation of wrongful conduct."

The Supreme Court of the United States has agreed in principle with the actions that were taken by this petitioner, though the California Supreme Court disagrees and adamantly refuses to follow United States Supreme Court precedents:

"There is a privilege protecting communication between attorney and client. The privilege takes flight if the relationship is abused. A client who consults an attorney for advice that will serve him in the commission of a fraud will have no help from the law. He must let the truth be told." (Emphasis added) Clark v. U.S. 299 U.S. 186, 187. (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities at pp 22-25.)

a handwriting expert.[45]

The State Bar Prosecutor then concocted totally new charges during the trial itself, despite objection and despite both United States Supreme Court and even California Supreme Court cases which specifically prohibit this.[46] So extreme

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45. Even the State Bar's "Compensated Referee' admitted that this count was disapproved, even though he chose to bury this finding in the transcript. (Please see Transcript, Vol. IX, page 120, lines 22-24.)

The false allegations had erroneously concerned an old boat which Michael Phyillaier had claimed was stolen, but for which he had actually signed a bill of sale! (Exhibit L) The State Bar prosecuted this petitioner despite the fact that it had in its possession prior to trial written proof of absolutely no foul play on this petitioner's part!

Michael Phyillaier unfortunately had a history of mental instability, having been discharged by the Alameda County Sheriff's Department because of "mental reasons" and also having attempted suicide on several occasions! The State Bar's "Compensated Referee" threatened this Petitioner with jail time and actually began yelling at this petitioner for impeaching Phyillaier's mental competence and credibility with these facts! Please see State Bar Exhibit 99, which later became this petitioner's Exhibit ZZ.

46. Please see In Re Ruffalo 390 U.S. 644, 885 S. Ct. 122 as well as Cole v. Arkansas 333 U.S. 196, 201. Woodward v. State Bar of California 16 Cal 2d 755, 108 F 2d 407. Please also see In Re Gault 387

are the violations of United States Supreme Court precedents that this petitioner requests summary reversal pursuant to U.S. Supreme Court Rule 16.1.

"MITIGATION"[47]

U.S. 1, cited by the United States Supreme Court in Ruffalo.

The State Bar Prosecutor actually brought the charges, which he knew to be false, and then formulated totally new charges, during trial, (i.e., alleged failure to advise the client that he could consult another lawyer, if he wanted to, before transferring the old boat, even though Michael Phyillaier said that he did in fact consult another lawyer! Please See Transcript Vol V, p. 143, ll 13-15, as well as Vol III, p. 57, ll 1-4).

This petitioner repeatedly stated his continuing objection to the entire proceeding, at the trial and later before the California Supreme Court, as described previously! (Please also see pages 47 to 52 in the Appendix, following the divider.)

47. MITIGATION

The State Bar's "Compensated Referee" merely listed in cursory fashion some of the factors which he was supposed to consider as mitigation, because he was required to consider them by California law! Neither he or the California Supreme Court either considered them or weighed them sufficiently! These factors included documented medical condition (severe and chronic ulcerative colitis during the time periods of the major charges herein. The "Compensated Referee" once again curiously avoided mention of this petitioner's exploratory surgery for cancer immediately prior to the State Bar's hearing and

"AGGRAVATION"[48]

"SELECTIVE ENFORCEMENT"[49]

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the State Bar's adamant refusal to grant a continuance.), refunds to witnesses who complained, in a spirit of compromise, favorable character witnesses, etc. (See Appendix at pages 25 and 26). The State Bar's "Compensated Referee" did not even mention in his opinion that he refused to even allow Dr. Leo Tuckman to testify regarding the extreme effect prescribed medicine had on this petitioner during his severe and chronic bouts with ulcerative colitis which occurred at the most critical times of the events complained of and which required several hospitalizations! (Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, Exhibits pp 9, 33-46, 91.)

48. AGGRAVATION

Here the "Compensated Referee" subjectively, not objectively" stated that he thought this petitioner "lacked candor", and that he allegedly did not cooperate with the State Bar's investigation, yet this petitioner wrote numerous written responses to the State Bar's inquiries, an objective fact. Please see Exhibit 75, a typical example. The "Compensated Referee" also criticized, highly subjectively, this petitioner's cross-examination of Michael Phyillaier, who was impeached on grounds of total lack of mental competence, as previously discussed, yet the "Compensated Referee" even cited this cross-examination as "aggravation," blaming the interrogator rather than blaming the impeached witness whose complaint was completely disproved by the State Bar's own handwriting analyst, and despite the fact that even the "Compensated Referee" ruled against Michael Phyillaier on this count! (Please see Appendix page 26, before

CONCLUSION

For the foregoing reasons, this petitioner prays:

1. Petitioner respectfully requests, in light of the extreme prejudice to him, his career and his family, that these obvious

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divider.)

The unfortunate result of this exchange was that the "Compensated Referee" actually began yelling at this petitioner during the cross-examination of Michael Phyillaier! He even threatened this petitioner with jail time for simply exercising his constitutional right of cross-examination! This made cross-examination of other witnesses virtually impossible!

49. SELECTIVE ENFORCEMENT

Please see Application for Writ of Coram Nobis or Error, Supplemental Points and Authorities, Exhibits p. 86, for four separate incidents of highly selective enforcement on the part of the State Bar. This petitioner had filed several complaints with the California State Bar himself, all of which were totally ignored, including a complaint against attorney Stephen Miller, the perjuring witness who the California State Bar and the California State Supreme Court should disbar! The complaint against Stephen Miller has never been acted upon and is therefore still pending!

constitutional abuses be immediately remedied by means of summary reversal of the clearly erroneous judgment and order of the California State Supreme Court, which relied almost exclusively on the biased recommendation and findings of the State Bar's "Compensated Referee", who clearly lacked jurisdiction and who completely believed the perjuring witnesses, and for the other constitutional abuses, and that this be done pursuant to Rule 16.1 of the United States Supreme Court Rules, and that this petitioner be immediately reinstated as a member in good standing of the California State Bar as well, or else that the California Supreme Court be ordered to do this at once. (This petitioner was convicted without due process, therefore his conviction should be summarily overturned as well, at bare minimum crediting this petitioner with "time

served" since 1988, thereby closing the book on this matter once and for all!)

2. Alternatively, that a writ of mandamus, a writ of prohibition or else a writ of common law certiorari, pursuant to 28 USC 1651 immediately issue from the United States Supreme Court directed to the Supreme Court of the State of California, requiring said Court to show cause pursuant to United States Supreme Court Rule 16.1, why it should not be directed to summarily vacate the disbarment of Jonathan Ainsworth, which was filed on October 27, 1988, effective December 26, 1988.

3. That this petitioner have such additional relief and process as may be necessary and appropriate.

Respectfully submitted March 1, 1991.

Jonathan Ainsworth

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